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July 20, 2012

VIA ECF

Honorable Kiyo A. Matsumoto  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 10007

*Re: United States v. Frank Senatore, 11-Cr-30(34)(KAM)*

Dear Judge Matsumoto:

We represent Mr. Senatore with respect to the above captioned case. This letter is intended to supplement our earlier sentencing letter and to re-iterate our request for a non-guideline sentence of time served coupled with a term of supervised release with appropriate conditions.

At the last court hearing, the Court presented Mr. Senatore with the opportunity to make payments towards the restitution that had been ordered on his prior case for which he has an outstanding restitution obligation. As the PSR addendum illustrates, Mr. Senatore has been making a diligent effort in making payments within his financial ability. Since that appearance, he has made weekly payments that range in amount from \$310 to \$85 for a total of \$1,284 to date. The reason the payments are variable is because they depend on his income which is not steady due to the nature of his business (he is a ticket broker and the ticket season is slowed down drastically in the absence of basketball, hockey and football). Nevertheless, Mr. Senatore will continue to make payments in accordance with his income.

In addition, while he hopes to continue building his ticket selling business, he has been looking for employment to help with the increased costs that he and his family are now facing in

light of the fact that Mr. Senatore's father passed away recently. The costs of the funeral were shared by the family members and Mr. Senatore owes his family members approximately \$3,500 for his portion of the cost. In addition, we would also note that his father's passing has made the family's financial burdens more difficult as they no longer have his contribution to count on. Therefore, Mr. Senatore's mother, brother and grandmother continue to need his financial assistance - now more than ever - and he is doing his best to continue to help them pay rent and maintain their home.

Since the time of our last appearance, Mr. Senatore has been meeting the Court's concerns that the victims be repaid by making diligent payments and we believe that he will continue to do so in a satisfactory manner.

Accordingly, for the reasons stated above and in our previously filed letter to the Court, we respectfully request a non-guideline sentence of time served coupled with a term of supervised release.

Respectively,

*Lee Ginsberg*

Lee Ginsberg

cc: AUSA Elizabeth Geddes (via ECF)